

In the District Court of the United States
For the District of South Carolina
BEAUFORT DIVISION

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Dennis McCrea,

Plaintiff,

vs.

Tom Fox, Director of Horry County
Detention Center and Phillip E. Thompson,

Defendants.

Civil Action No. 9:05-0945-TLW-GCK

ORDER

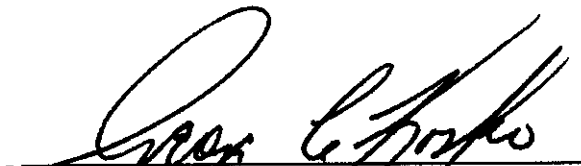
The plaintiff brought this action seeking relief pursuant to Title 42, United States Code, Section 1983. On May 4, 2005, the defendants filed a motion to dismiss. By order of this court filed May 12, 2005, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the plaintiff was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. Despite this explanation, the plaintiff elected not to respond to the motion.

As the plaintiff has failed to respond to the motion to dismiss, it appears to the court that he wishes to abandon this action. Therefore,

IT IS ORDERED that the plaintiff shall have a period of twenty (20) days from the date of this order in which to file his response to the motion to dismiss. The plaintiff is advised that if he fails to respond, this action will be dismissed for failure to prosecute. *Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978).

IT IS SO ORDERED.

June 20, 2005
Charleston, South Carolina


George C. Kosko
United States Magistrate Judge